

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

THOMAS D. HARRIS,

Plaintiff,

ORDER

v.

BRIAN SCHALLER, et al.

Case No. 15-cv-397-wmc  
Appeal no. 19-3124

Defendants.

---

On December 12, 2019, this court entered an order assessing plaintiff an initial partial appeal fee, which plaintiff has paid. Now, plaintiff has submitted a letter request to modify the collection of the remainder of the appeal fee or to dismiss his appeal.

This court is bound by the provisions of the Prison Litigation Reform Act. Under that Act, an inmate who files a lawsuit or an appeal in federal court under the *in forma pauperis* statute must pay the statutory filing fee, first by making an initial partial payment and then by sending the remainder of the fee to the court in installments of 20% of the preceding month's income in accordance with 28 U.S.C. § 1915(b)(2) until the remaining balance for his case is paid in full. The court has no discretion to modify this method. Accordingly, his motion will be denied.

Plaintiff is advised that he must send a notice of voluntary dismissal of his appeal directly to the Seventh Circuit Court of Appeals. Plaintiff should also be aware that a voluntary dismissal will not stop collection of the remainder of the appeal filing fee.

ORDER

IT IS ORDERED that plaintiff Thomas D. Harris's motion to modify the collection of the remainder of the appeal filing fee payments, dkt. #82, is DENIED.

Entered this 27<sup>th</sup> day of January, 2020.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge